

87th Legislative Session – 2012

Committee: House Judiciary

Friday, January 20, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Boomgarden
E Feinstein
P Gibson
P Hansen (Jon)
P Killer
P Kopp
P Nelson (Stace)
P Russell
P Tornow
P Turbiville
P Gosch, Vice-Chair
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair, Representative Roger Hunt.

MOTION: TO APPROVE THE MINUTES OF JANUARY 13, 2012

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

HB 1015: provide for exceptions from certain misdemeanor offenses relating to possession of handguns.

Presented by: Representative Don Kopp
Proponents: Ed Randazzo, SD Gun Owners, Rapid City (Handouts: #1)
Representative Betty Olson (Handouts: #2)

Opponents: Sunshine Minzlaff, Self, Sturgis
Randy Hartley, Department of Public Safety (Handouts: #3, #4)
Paul Bachand, SD State's Attorneys Association

MOTION: AMEND HB 1015

1015rc

On page 1 of the printed bill, delete lines 5 and 6, and insert "to any person, eighteen years of age or over, who is otherwise eligible to be issued a permit to carry a concealed pistol pursuant to chapter 23-7."

Moved by: Nelson (Stace)
Second by: Tornow
Action: Was not acted on.

MOTION: CALL THE QUESTION

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

MOTION: SUBSTITUTE MOTION DEFER HB 1015 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Gibson
Action: Prevailed by roll call vote. (7-5-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Killer, Turbiville, Gosch, Hunt

Voting No: Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow

Excused: Feinstein

HB 1046: revise certain provisions regarding child custody during a soldier's deployment.

Presented by: Jason Campbell, Department Military, Lead
Proponents: Tom Barnett, State Bar Association of South Dakota

MOTION: AMEND HB 1046

1046oa

On page 2 of the printed bill, delete line 13, and insert "change physical custody. ~~However, the best interests of the child shall be determinative~~ Any".

On page 2, line 16, after "deployment" insert ".However, if a material change in circumstances affects the servicemember's ability to care for the child, the best interests of the child shall be determinative".

Moved by: Gibson
Second by: Turbiville
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1046 AS AMENDED

Moved by: Turbiville
Second by: Abdallah
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Turbiville, Gosch, Hunt

Voting No: Russell, Tornow

Excused: Feinstein

HB 1049: add certain definitions regarding the Department of the Military.

Presented by: Jason Campbell, Department Military, Lead

MOTION: DO PASS HB 1049

Moved by: Turbiville
Second by: Gibson
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Feinstein

MOTION: PLACE HB 1049 ON CONSENT CALENDAR

Moved by: Turbiville
Second by: Gibson
Action: Prevailed by voice vote.

HB 1050: revise certain provisions regarding National Guard discipline and courts-martial.

Presented by: Jason Campbell, Department Military, Lead

MOTION: DO PASS HB 1050

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Feinstein

HB 1052: grant discretion to the court with regard to personal appearances in certain adoption appearances.

Presented by: Representative Brian Gosch

MOTION: DO PASS HB 1052

Moved by: Turbiville
Second by: Abdallah
Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Tornow, Turbiville, Gosch, Hunt

Voting No: Russell

Excused: Feinstein

HB 1047: revise certain provisions relating to military law.

Presented by: Jason Campbell, Department Military, Lead

MOTION: DO PASS HB 1047

Moved by: Gibson

Second by: Gosch

Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Feinstein

MOTION: PLACE HB 1047 ON CONSENT CALENDAR

Moved by: Gibson

Second by: Turbiville

Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Turbiville

Second by: Hansen (Jon)

Action: Prevailed by voice vote.

Bonnie Fischer
Committee Secretary

Roger W. Hunt, Chair